

1 David J. Freeman  
Nevada Bar No. 10045  
2 HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
3 Las Vegas, NV 89134  
Phone: (702) 222-2511  
4 Fax: (702) 669-4650

5 Neil K. Roman, Esq.  
(*pro hac vice* forthcoming)  
6 COVINGTON & BURLING LLP  
The New York Times Building  
7 620 Eighth Avenue  
New York, NY 10018-1405  
8 Tel.: (202) 841-1000  
E-mail: [nroman@cov.com](mailto:nroman@cov.com)

9  
Yurij D. Melnyk, Esq.  
10 (*pro hac vice* forthcoming)  
COVINGTON & BURLING LLP  
11 One Front Street  
San Francisco, CA 94111-5356  
12 Tel.: (415) 591-6000  
E-mail: [ymelnyk@cov.com](mailto:ymelnyk@cov.com)

13 *Attorneys for Plaintiff*  
14 *The American Automobile Association, Inc.*

15 **THE UNITED STATES DISTRICT COURT**  
16 **DISTRICT OF NEVADA**

17 THE AMERICAN AUTOMOBILE  
18 ASSOCIATION, INC.,

19 Plaintiff,

20 v.

21 AAA ANYTIME, INC., MITCHELL  
WINIK, and KATHERINE CARTER,

22 Defendants.  
23

**CASE NO.: 2:19-cv-00255-APG-PAL**

**STIPULATION AND PROPOSED  
ORDER FOR ENLARGEMENT OF  
TIME FOR DEFENDANTS TO  
RESPOND TO THE COMPLAINT**

**(First Request)**

24 Plaintiff The American Automobile Association, Inc. ("AAA" or "Plaintiff") and  
25 Defendants AAA Anytime, Inc., Mitchell Winik and Katherine Carter ("Defendants"), by and  
26 through their respective attorneys of record, pursuant to Rule 6(b)(1) of the Federal Rules of Civil  
27 Procedure ("FED. R. CIV. P."), and Local Rule 6-1, hereby stipulate and agree as follows:  
28

1           1.       Plaintiff commenced this action on February 12, 2019 by filing a *Complaint*  
2 against Defendants for trademark infringement in violation of Section 32 of the Federal  
3 Trademark Act (the “Lanham Act”), 15 U.S.C. § 1114; false designation of origin and unfair  
4 competition in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a); cybersquatting  
5 in violation of Section 43(d) of the Lanham Act, 15 U.S.C. § 1125(d); trademark dilution in  
6 violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), and Nev. Rev. Stat. § 600.435;  
7 deceptive trade practices in violation of Nev. Rev. Stat §§ 41.600 and 598.0915; and common  
8 law trademark infringement. (ECF No. 1).

9           2.       The Summons and Complaint were served upon Defendant AAA Anytime, Inc.  
10 on or about February 13, 2019. (ECF No. 7).

11           3.       The deadline for Defendant AAA Anytime, Inc. to file its answer or otherwise  
12 respond to the Complaint in accordance with FED. R. CIV. P. 12(a)(1) is March 6, 2019.

13           4.       The Summons and Complaint were served upon Defendants Mitchell Winik and  
14 Katherine Carter on or about February 23, 2019. (ECF Nos. 8 and 9).

15           5.       The deadline for Defendants Mitchell Winik and Katherine Carter to file their  
16 respective answers or otherwise respond to the Complaint in accordance with FED. R. CIV. P.  
17 12(a)(1) is March 18, 2019.

18           6.       Defendants are collectively represented in this action by Philip A. Kantor, Esq.

19           7.       The parties are currently negotiating a resolution of this matter without further  
20 Court intervention; however, the parties anticipate that negotiations will not be completed prior  
21 to the current deadlines for Defendants to file and serve their responses to the Complaint.

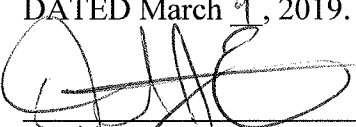
22           8.       WHEREFORE, the parties stipulate and agree to enlarge the time for Defendants  
23 to answer or otherwise respond to the Complaint for an additional thirty (30) days to April 5,  
24 2019.

25           9.       This Stipulation is submitted prior to the expiration of the period provided for the  
26 filing and service of Defendants’ responses to the Complaint (March 6th and 18th), is not  
27 interposed merely for delay, and is made in good faith between the parties hereto.  
28

10. This is the first stipulation to enlarge the time for Defendants to answer or otherwise respond to the Complaint.

**IT IS SO STIPULATED:**

DATED March 4, 2019.

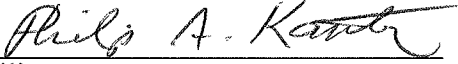
  
David J. Freeman, Esq.  
Nevada Bar No. 10045  
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

Neil K. Roman, Esq.  
(pro hac vice forthcoming)  
COVINGTON & BURLING LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405

Yurij D. Melnyk, Esq.  
(pro hac vice forthcoming)  
COVINGTON & BURLING LLP  
One Front Street  
San Francisco, CA 94111-5356

*Attorneys for Plaintiff*

DATED March 4, 2019.

  
Philip A. Kantor, Esq.  
LAW OFFICES OF PHILIP A. KANTOR, P.C.  
1781 Village Center Circle, Suite 120  
Las Vegas, NV 89134

*Attorneys for Defendants*

**IT IS SO ORDERED:**

  
UNITED STATES MAGISTRATE JUDGE

DATED this 5th day of March, 2019.

12120699\_1